



Continental Plaza · 411 Hackensack Avenue, Suite 701 · Hackensack, NJ 07601 · (tel&fax) 201.273.7117

February 11, 2022

*Via ECF*

The Honorable James B. Clark, III  
United States District Court  
Martin Luther King Jr. Federal Building and Courthouse  
50 Walnut Street, Room MLK 2A  
Newark, New Jersey 07102

**Re: *Morales v. Healthcare Revenue Recovery Group, LLC***  
**Case No. 2:15-cv-08401-ES-JAD**

Dear Judge Clark:

The parties write pursuant to the Court's Letter Order (ECF No. 152). The parties are ready to brief class certification. In the meantime, Plaintiff needs to complete merits discovery.

***Plaintiff's Position:*** Plaintiff is ready to move for class certification. However, Plaintiff requires the following documents pertaining to the merits and damages which have not been produced:

- The account notes of class members from the pertinent collection software-Platinum in use on December 3, 2014—the time the unlawful letter was sent.
- Manuals for Ontario Systems FACS, Guaranteed Contacts System and Artiva software products, and CR Software Platinum and Titanium collection systems.
- Defendant's document retention policy.
- Applicable insurance policy.
- Financial statements and balance sheets.
- Written policy regarding internal reference numbers.
- Written policy regarding telephone calls with consumers.
- Website data regarding internal reference numbers.

Furthermore, Plaintiff requires a supplemental Rule 30(b)(6) deposition to complete merits and damages discovery, which can be conducted while a class certification motion is pending.

***Defendant's Position:*** Defendant objects to the continued production of documents and information because all of the requested information has (1) previously been produced pursuant to prior discovery orders; (2) was not required to be produced or disclosed pursuant to prior discovery Orders; and/or (2) is not required to be produced as a matter of law.

Defendant submits that Plaintiff's pre-certification request for a class list and additional class account notes was previously denied by Judge Dickson on December 28, 2018 (ECF 113). In addition, Defendant previously provided account notes for three individuals which was deemed

Hon. James B. Clark, III  
*Morales v. Healthcare Revenue Recovery Group, LLC*  
February 11, 2022  
Page 2 of 2

sufficient by the Court at this stage. Id. In similar fashion, Plaintiff's request for financials was denied by the Court at a case management conference on September 28, 2018. (ECF 103). Lastly, Plaintiff has failed to identify any reason for additional depositions before class certification and dispositive motions. Accordingly, Defendant respectfully submits that discovery should remain closed.

The parties thank you for Your Honor's time and consideration.

Very truly yours,

s/Yongmoon Kim  
Yongmoon Kim, Esq.  
KIM LAW FIRM LLC

cc: All Counsel of Record (*via ECF*)